

REMARKS

In the Office Action issued on June 27, 2007, the Examiner made the previously-issued restriction and election requirements final, required a replacement oath/declaration for Michael Garrison, objected to Claims 2, 3, 10, 14, and 16, and rejected Claims 1 through 3, 10, 11, 13, 14 and 16 under 35 U.S.C. §102(b). The Applicants have fully considered the Office Action and cited reference and submit this Reply and Amendment in response to the Examiner's action. Reconsideration of the application for patent is requested.

Defective Oath or Declaration

The Examiner asserted that the oath or declaration submitted for Michael Garrison is defective because it includes non-initialed and/or non-dated alterations. The Applicants herein provide a replacement declaration signed by Mr. Garrison.

The Applicants respectfully request that the Examiner place the replacement declaration in the record and remove the objection to the declaration as being defective.

Claim Objections

The Examiner objected to Claims 2, 3, 10, 14, and 16 for informalities. The Applicants have amended the claims as follows in consideration of these objections:

Claims 2, 3, and 16: In each of these claims, "the strut" in line 2 has been amended to read "the at least one of the struts" to establish a clear antecedent basis in Claim 1. These amendments are made solely to clarify a limitation already present in the claims and are not made to narrow the scope of the claim language or the protection sought.

Claim 10: The word "comprising" has been changed to "further comprising" solely to indicate that the presented limitation is in addition to limitations on the graft member recited in Claim 1. This amendment is made solely to clarify the transition clause and is not made to narrow the scope of the claim language or the protection sought.

Claim 14: A functional limitation has been added to clarify that the "valve" in Claim 14 is indeed a modification of the valve of Claim 13. This amendment is fully supported by the application as filed; no new matter has been introduced. Exemplary support is found in paragraph [0009].

The Applicants respectfully assert that each of the objections to the claims has been addressed and request their withdrawal.

Claim Rejections

The Examiner rejected Claims 1 through 3, 10, 11, 13, 14, and 16 under 35

U.S.C. §102(b) as being anticipated by Pavcnik (WO 99/62431). The Applicants traverse this rejection at least because Pavcnik fails to disclose each and every limitation of independent Claim 1, from which all other rejected claims depend.

Claim 1 specifically requires:

“at least one of the struts defining a first portion having a first width, a second portion having a second width, and a third portion having a third width, the second and third widths being greater than the first width and the first portion disposed between the second and third portions....”

In the Office action, the Examiner characterized the second and third portions as “the coil bends (12)” of Pavcnik (see Figure 11) and the the widths of these portions are greater than the portion between the coil bends “due to the overlapping of the wire.”

Pavcnik does not teach or suggest a relatively narrow first strut portion disposed between relatively wider second and third strut portions. While Pavcnik clearly does show second and third portions with *double thicknesses*, it is completely devoid of any teaching of the required relative widths.

The specification of the present application describes the term “width” in a manner that clearly excludes this “double thickness” interpretation offered by the Examiner:

“As used herein, the term “width” refers to any *dimension* of a strut other than length, and includes a *width* of a substantially two dimensional strut, a *thickness* of a three dimensional strut, and a *diameter* of a strut with a substantially circular cross-sectional shape.” (paragraph [0076], emphasis added)

The italicized language in the language above clearly shows that the claim term “width” refers only to *singular dimensions* of struts and strut portions and *does not encompass the double thickness proffered by the Examiner*. Pavcnik simply cannot be interpreted to teach or suggest the required relative widths in accordance with the meaning of the term as properly viewed in light of the specification.

Accordingly, Pavcnik does not anticipate Claim 1 because it does not teach each and every limitation of the claim. Furthermore, the reference does not anticipate any of Claims 2, 3, 10, 11, 13, 14, and 16 because each of these claims ultimately depend from Claim 1 and, as a result, include all limitations of Claim 1.

The Applicants respectfully assert that all claim rejections based on Pavcnik

are improper and request their withdrawal.

CONCLUSION

The Applicants have fully responded to the objections and rejections listed by the Examiner in the June 27, 2007 Office Action. A Notice of Allowability relating to all claims currently under consideration is appropriate and respectfully requested by the Applicants.

Should the Examiner have any questions regarding this Reply and Amendment, or the remarks contained herein, the undersigned attorney would welcome the opportunity to discuss such matters with the Examiner.

Respectfully submitted,

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